

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CONTINENTAL 332 FUND, LLC,
CONTINENTAL 298 FUND LLC,
CONTINENTAL 306 FUND LLC,
CONTINENTAL 326 FUND LLC,
CONTINENTAL 347 FUND LLC,
CONTINENTAL 355 FUND LLC,
CONTINENTAL 342 FUND LLC
and CONTINENTAL 245 FUND
LLC,

Plaintiffs,

v.

Case No.: 2:17-cv-41-FtM-38MRM

GREGORY HILZ,

Defendant.

_____ /

OPINION AND ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 691](#)). Judge McCoy recommends granting in part and denying in part without prejudice Gregory Hilz's bill of costs. ([Doc. 691](#)). Neither party objects to the Report and Recommendation, and the time to do so has expired.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

A district judge “may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” [28 U.S.C. § 636\(b\)\(1\)](#). The district judge “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* And “[t]he judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*

After examining the file independently and upon considering Judge McCoy’s findings and recommendations, the Court accepts and adopts the Report and Recommendation


Accordingly, it is now

ORDERED:

- (1) United States Magistrate Judge Mac R. McCoy’s Report and Recommendation ([Doc. 691](#)) is **ACCEPTED and ADOPTED** and the findings are incorporated herein.
- (2) The Motion is granted to the extent Defendant is awarded \$340 for fees of the Clerk and for witness fees.
- (3) The Clerk of Court shall enter a cost judgment for Defendant Gregory Hilz in the amount of \$340 for fees of the Clerk and for witness fees.
- (4) The Motion is denied without prejudice to the extent Defendant seeks any greater or different relief

(5) Defendant is given 14 days from the date of the Court's Order to file
a renewed motion for the fees, if he chooses to do so

DONE and **ORDERED** in Fort Myers, Florida on November 10, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record